DOCKET NO. 45

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| AN APPLICATION SUBMITTED BY THE SOUTHERN NEW ENGLAND TELEPHONE COMPANY FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF FACILITIES TO PROVIDE CELLULAR SERVICE IN FAIRFIELD COUNTY. | : | CONNECTICUT SITING COUNCIL |
| | : | September 14, 1984 |

## DECISION AND ORDER

Pursuant to the foregoing opinion, the Council hereby directs that a certificate of environmental compatibility and public need as required by section 16-50k of the General Statutes of Connecticut, revisions of 1958, revised to 1983, as amended, be issued to the Southern New England Telephone Company for the construction, operation, and maintenance of a telecommunications tower and associated equipment to provide cellular service at each of the following sites:

Kaechele Place, Bridgeport, Connecticut;
Connecticut Avenue, Norwalk, Connecticut;
Nells Rock Road, Shelton, Connecticut;
Newfield Avenue, Stamford, Connecticut; and
Bayberry Lane, (former Nike site), Westport, Connecticut.

The facilities shall be constructed, operated, and maintained as specified in the Council's record on this matter, and subject to the following conditions:

1. The towers shall be no taller than necessary to provide the proposed service, and in no event shall exceed

   a) 167' at the Bridgeport site,
   b) 167' at the Norwalk site,
   c) 189.5' at the Shelton site,
   d) 167' at the Stamford site,
   e) 117' at the Westport site;

2. A fence not lower than eight feet shall surround each tower and its associated equipment;

3. The applicant or its successor shall notify the Council if and when directional antennas or any other equipment is added to any of these facilities;

4. The applicant or its successor shall permit, in accordance with representations made by it during the proceeding, public or private entities to share space on the facilities, for due consideration received, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing;
5. Unless necessary to comply with condition number six, below, no lights shall be installed on any of these towers;
6. The facilities shall be constructed in accordance with all applicable federal, state, and municipal laws and regulations;
7. The applicant shall submit a development and management plan (D&M) for the Bridgeport, Stamford, and Westport sites pursuant to sections 16-50j-85 through 16-50j-87 of the regulations of state agencies, except that irrelevant items in section 16-50j-86 need only be identified as such. The D&M plans shall include appropriate evergreen screening of the sites, erosion control measures, reseeding plans, and tree removal plans. The applicant shall consult with the Stamford Environmental Protection Board in the preparation of a drainage and erosion control plan for the Stamford tower. The applicant shall comply with the reporting requirements of section 16-50j-87 for all sites;
8. Construction activities shall take place during daylight working hours;
9. This decision and order shall be void and the towers and associated equipment approved herein shall be dismantled and

removed, or reapplication for any new use shall be made to the Connecticut Siting Council before any such new use is made, if the towers do not provide or permanently cease to provide cellular service following completion of construction;

10. This decision and order shall be void if all construction authorized is not completed within three years of the issuance of this decision.

Pursuant to section 16-50p of the General Statutes, we hereby direct that a copy of the opinion and decision and order be served on each person listed below. A notice of the issuance shall be published in the Bridgeport Post, the Norwalk Hour, the Stamford Advocate, and the Shelton Suburban News, and the Westport News.

The parties to this proceeding are

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|---|---|
| The Southern New England Telephone Company<br>Room 314<br>227 Church Street<br>New Haven, Connecticut 06506 | (Applicant) |
| Attention: Mr. Peter J. Tyrrell<br>Senior Attorney | (its attorney) |
| Rolnick Observatory<br>52 Sawyer Road<br>Fairfield, Connecticut | represented by:<br>Frederick H. Bump<br>Director |
| Mr. Adam Norton<br>40 Highland Road<br>Westport, Connecticut 06880 | |
| Representative John Wayne Fox<br>13 Apple Tree Drive<br>Stamford, Connecticut 06906 | (service waived) |
| Mr. George C. Lenfest<br>4 Highland Road<br>Westport, Connecticut | |

Mr. William Seiden
First Selectman
Town of Westport
110 Myrtle Avenue
P.O. Box 549
Westport, Connecticut 06881

Mr. Arthur L. Schimel
174 Bayberry Lane
Westport, Connecticut

Mr. Seymour Bendremer
11 Apache Trail
Westport, Connecticut

Ms. Gladys Floch
32 Woody Lane
Westport, Connecticut

Ms. Helen S. Cohen (service waived)
15 Highland Road
Westport, Connecticut

Mr. Jack Braverman
226 Bayberry Lane
Westport, Connecticut

Mr. Kevin Gavin (service waived)
191 Bayberry Lane
Westport, Connecticut

Mr. A.B. Beiser
12 Highland Road
Westport, Connecticut

Mr. Edward V. Polusky (service waived)
4 Hooper Road
Westport, Connecticut

Ms. Lois Schine represented by:

Mary D. Mix, Esquire
830 Post Road - East
Suite 100
Westport, Connecticut 06880

Mr. Allen Witt
3 Apache Trail
Westport, Connecticut

Ms. Gayle Shiller (service waived)
5 Apache Trail
Westport, Connecticut

Mrs. Ronnie Hammer
3 Hooper Road
Westport, Connecticut

Mr. Paul Rosenblatt (service waived)
7 Apache Trail
Westport, Connecticut

Mr. Henry J. Wolfson (service waived)
179 Bayberry Lane
Westport, Connecticut

Mr. Melvin H. Barr (service waived)
Planning Director
Town of Westport
110 Myrtle Avenue
P.O. Box 549
Westport, Connecticut 06881

Mr. Mark Infeld (service waived)
6 Apache Trail
Westport, Connecticut

Ms. Barbara Saipe (service waived)
Representative Town
Meeting Member
District #8
Town Hall
P.O. Box 549
Westport, Connecticut 06881

Ms. Peggy Goldenberg (service waived)
201 Bayberry Lane
Westport, Connecticut

Ms. Martha Hauhuth (service waived)
Board of Selectman
Town Hall
P.O. Box 549
Westport, Connecticut 06881

Ms. Meg Coffee
32 Otter Trail
Westport, Connecticut (service waived)

# CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case or read the record thereof, and that we voted as follows:

Dated at New Britain, Connecticut, this 14th day of September, 1984.

| Council Members | Vote Cast |
|---|---|
| Gloria Dibble Pond<br>Chairperson | Yes |
| Commissioner John Downey<br>Designee: Commissioner Peter G. Boucher | Absent |
| Commissioner Stanley Pac | Absent |
| Owen L. Clark | Yes |
| Fred J. Doocy | Yes |
| Mortimer A. Gelston | Yes |
| James G. Horsfall | Yes |
| Janet Sitty | Yes |
| Colin C. Tait | Absent |

STATE OF CONNECTICUT )
: ss. New Britain, September 14, 1984
COUNTY OF HARTFORD )

I hereby certify that the foregoing is a true and correct copy of the decision and order issued by the Connecticut Siting Council, State of Connecticut.

ATTEST:

Christopher S. Wood

Christopher S. Wood, Executive Director
Connecticut Siting Council